

#538
BILL NO. Z-93-10-10

1 ZONING MAP ORDINANCE NO. Z- Wittman

2 AN ORDINANCE amending the City of
3 Fort Wayne Zoning Map No. D-2.

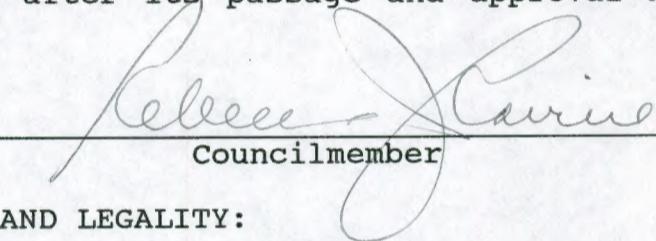
4 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
5 WAYNE, INDIANA:

6 SECTION 1. That the area described as follows is hereby
7 designated an B-1-B (Limited Business) District under the
8 terms of Chapter 33 of the Code of the City of Fort Wayne,
9 Indiana of 1974:

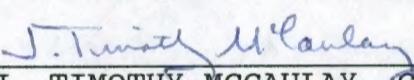
10 Lots #2 through #22 in Walnut Hills Terrace Addition to
11 the City of Fort Wayne.

12 and the symbols of the City of Fort Wayne Zoning Map No. D-2,
13 as established by Section 11 of Chapter 33 of the Code of the
14 City of Fort Wayne, Indiana are hereby changed accordingly.

15 SECTION 2. That this Ordinance shall be in full force
16 and effect from and after its passage and approval by the
17 Mayor.

18 
19 Councilmember

20 APPROVED AS TO FORM AND LEGALITY:

21 
22 J. TIMOTHY McCaulay, CITY ATTORNEY

23
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32

Read the first time in full and on motion by Ravine,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on 10-12-93, the 19 day of
M., E.S.T. o'clock

DATED: 10-12-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>LUNSEY</u>	_____	_____	_____	_____
<u>RAVINE</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____ SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19 _____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19 _____
at the hour of _____ o'clock _____, M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____
19 _____, at the hour of _____ o'clock _____, M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

No 14891

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN.

9/7 1993

RECEIVED FROM

Wiley Franklin \$250.00

THE SUM OF

Two hundred & fifty ⁰⁰ DOLLARS

100

ON ACCOUNT OF

Revere 1234 thru 1834 Getz

PAID BY: CASH CHECK M.O.

AUTHORIZED SIGNATURE

6230

JAFB

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We _____

(SEE ATTACHED)

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B1B District the property described as follows:

WALNUT HILLS TERRACE ADD. LOTS # 2 - 22

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

1234 thru 1834 Getz Rd.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(SEE ATTACHED)

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. [REDACTED]

Name and address of the preparer, attorney or agent.

WELBY E. FRANKLIN
(Name)1606 GETZ RD.
(Address & Zip Code)432-7608-4715009
(Telephone Number)

COMMUNITY AND ECONOMIC DEVELOPMENT / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

WALNUT HILLS TERRACE ADD. LOTS # 2-22

Owners of Property

(SEE ATTACHED)

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

Legal Description of property to be rezoned.

WALNUT HILL TERRACE ADD. LOT #'s

Owners of Property

WILBOY E FRANKLIN

1606 GETZ RD

Willy E Franklin

TODD A ASKE

1526 GETZ RD

Todd Aske

Kevin McGinnis

1426 GETZ RD

Kevin McGinnis

Jane Edsall

1618 Getz Rd.

Jane Edsall

John & Brenda Cole

1706 GETZ RD.

Brenda Cole

Linda & Mark Evans

1716 GETZ RD.

Linda & Evans

John R Cole

1706 Getz Rd

John R Cole

R. CRAIG HEAD

1578 GETZ

R. Craig Head

Marie M. Rorick

1504 Getz Rd.

Marie M. Rorick

DAVID E RORICK

1504 GETZ RD

David E Rorick

BERNADINE NEWHART

1234 Getz Rd.

Bernadine Newhart

JOHN V. MC COMBS

1426 GETZ RD.

John V Mc Combs

NEDRICK N. MILLER

1426 GETZ RD

Nedrick N. Miller

Gregory P. LINDSAY

1426 Getz Rd

Greg P. Lindsay

DONALD G VAUGHN

1426 GETZ RD

Donald G Vaughn

JAMES J LANCIA

1312 Getz Rd.

James J Lancia

Floyd A. Lancia

1334 " "

Floyd A. Lancia

1404 " "

1416 Getz Rd.

Lots 3-4-5-6-7
Walnut Hill Terrace Addition

AUDREY M BOLING

1622 GETZ RD

Audrey M Boling

FRANK & EVELYN McCABE

1804 GETZ RD.

Evelyn & McCabe

FRANK F. McCABE

1804 GETZ RD.

Frank F. McCabe

ELOISE COOK

1736 GETZ RD

Eloise Cook

JACK C. THOMAS
(Name)

1726 GETZ RD.

Jack C. Thomas

(Address)

1816 Getz Rd

(Signature)

WILLIAM ERNST

1834 GETZ RD.

William Ernst

DAVE & ELAINE LEHMAN

David & Lehman

Elaine Lehman

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 12, 1993 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-93-10-10.

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

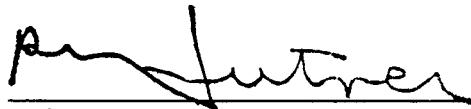
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 18, 1993.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request of the petitioner at the public hearing.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 18, 1993.

Certified and signed this
19th day of October 1993.



Robert Hutner
Secretary

58
X ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 1234 through 1834 Getz Road

Z-93-10-10

EFFECT OF PASSAGE Property is currently zoned R-1 - Single Family Residential. Property will become B-1-B - Limited Business District.

EFFECT OF NON-PASSAGE Property will remain zoned R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

FACT SHEET

Z-93-10-10

BILL NUMBER**Division of Community
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Map Amendment		
From R-1 to B-1-B		

DETAILS		POSITIONS	RECOMMENDATIONS
Specific Location and/or Address	1234 Getz Road through 1834 Getz Road	Sponsor	City Plan Commission
Reason for Project	Not Given	Area Affected	City Wide Other Areas
Discussion (Including relationship to other Council actions)	<u>18 October 1993 - Public Hearing</u> Petitioner requested that the rezoning be withdrawn. Motion was made and seconded to WITHDRAW the petition as requested. Of the eight (8) members present, seven (7) voted in favor of the motion, one (1) did not vote. Motion Carried	Applicants/ Proponents	Applicant(s) Welby Franklin City Department Other
		Opponents	Groups or Individuals Basis of Opposition
		Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against Approval could result in an unorganized congested development pattern.
		Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) WITHDRAW
		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start Date 7 September 1993**Projected Completion or Occupancy** Date 19 October 1993**Fact Sheet Prepared by** Date 19 October 1993

Patricia Biancaniello

Reviewed by

Date 26 October 1993

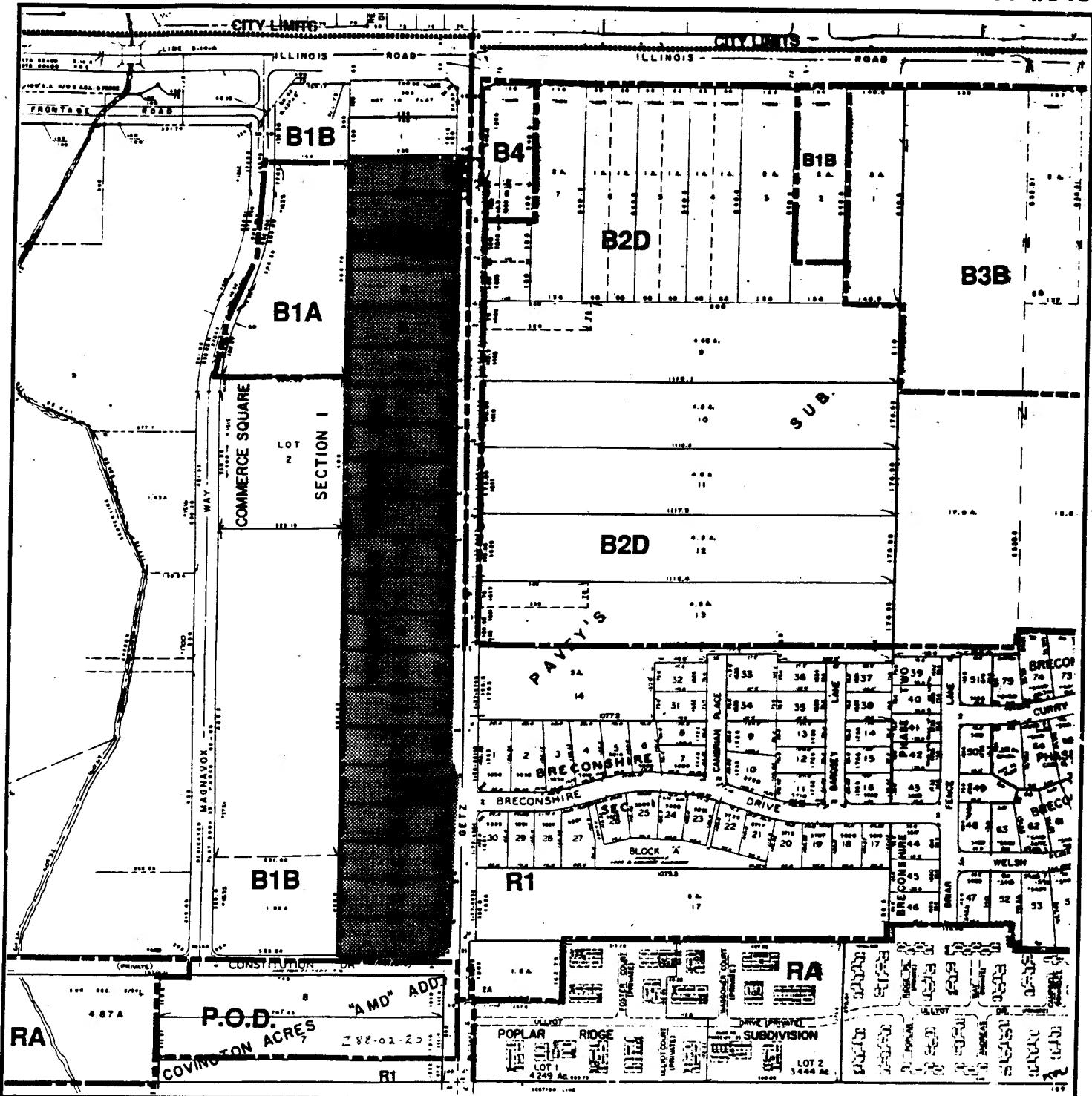
Reference or Case Number



REZONING PETITION

AREA MAP

CASE NO. #548



COUNCILMANIC DISTRICT NO. 4

Map No. D-2
LW 9-21-93

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

withdrawn) per request

BILL NO. Z-93-10-10

REPORT OF THE COMMITTEE ON
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (REZONING) amending the City of
Fort Wayne Zoning Map No. D-2

- HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (RESOLUTION) .

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Wit

Frank

DATED:

Sandra E. Kennedy
City Clerk